

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

AUGUSTINE SALISU ONIPE,

Petitioner,

v.

**CASE NO. 2:16-CV-0697
CRIM. NO. 2:98-CR-0053
JUDGE ALGENON L. MARBLEY
MAGISTRATE JUDGE KEMP**

UNITED STATES OF AMERICA,


Respondent.

OPINION AND ORDER

On February 28, 2017, the Magistrate Judge issued a *Report and Recommendation* denying Petitioner's motions for appointment of counsel (ECF Nos. 40, 45) and for emergency action on the motion to vacate (ECF No. 47), and recommending that the *Motion to Vacate under 28 U.S.C. § 2255* (ECF No. 34) be denied. (ECF No. 48.) Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed. The docket indicates that Petitioner's notice of the *Report and Recommendation* was returned as undeliverable with no forwarding address. (ECF No. 49.) However, it is the responsibility of the Petitioner to keep the Court advised of his current whereabouts.

The *Report and Recommendation* (ECF No. 48) is **ADOPTED** and **AFFIRMED**. Petitioner's motions for appointment of counsel (ECF Nos. 40, 45) and for emergency action on the motion to vacate (ECF No. 47) are **DENIED**. The *Motion to Vacate under 28 U.S.C. § 2255* (ECF No. 34) is **DISMISSED**.

IT IS SO ORDERED.



ALGENON L. MARBLEY
United States District Judge